

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

MARGARET HERZOG, Individually and:

as the personal representative of the :

Estate of THOMAS HERZOG, deceased :

:

Plaintiff :

v. :

NO. 1:16-cv-01139-WCG

UNION PACIFIC RAILROAD :

COMPANY :

:

Defendant :

STIPULATION OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Plaintiff and Defendant, having conferred, do hereby dismiss the instant action without prejudice, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, and with each side to bear their own costs.

Respectfully submitted,

Respectfully submitted,

/s/ David Damico

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Attorney for Plaintiff

APPROVED BY THE COURT:

J.

CERTIFICATE OF SERVICE

I, Shawn M. Sassaman, attorney for the Plaintiff, do hereby certify that the foregoing Stipulation of Voluntary Dismissal Without Prejudice was served on all parties of record via the Court's electronic distribution service on the date noted below.

October 11, 2016

/s/ Shawn M. Sassaman
SHAWN M. SASSAMAN